

Purpose

The Department of Transportation recognizes the need and has created a claims re-examination board to review third party damage claims that are denied by the contractor's insurance company.

Policy

The board meets monthly to re-examine third party damage claims that are denied by the contractor's insurance company.

The voting board consists of three members. The board will be chaired by Central Risk Management, will include a Region Safety/Risk Management Specialist (this position rotates between the four Region Safety & Loss Coordinators on a yearly basis). The third board member is appointed by the AGC (Associated General Contractors). A secretary provided by Central Risk Management will track claims, compile the monthly agenda and prepare and distribute meeting minutes. Other attendees will be included as necessary to provide additional information pertinent to a specific claim.

Background

Third party construction claims are inherent to the construction process. The contractor provides insurance through an independent carrier to cover these claims, however, not all claims are paid by the contractor's insurance company.

The board was created to provide an appeal process for individuals whose third party damage claims have been denied by the contractor's insurance company.

Procedures

Claims Re-Examination Board

UDOT 08B-94.1

RESOLUTION OF THIRD PARTY DAMAGE CLAIMS

Responsibility: Re-Examination Secretary

Actions

1. Compiles claims to be re-examined at monthly meeting and provides board members claim files 1 week prior to meeting.
2. Prepares agenda and minutes of monthly meeting.

Responsibility: Re-Examination Board Chairman

3. Chairs the monthly re-examination meeting.
4. Signature of all official decisions by the re-examination board.

Responsibility: Region Safety/Risk Management Specialist

5. Functions as board member for a 1 year period.
6. Reviews claims prior to meeting and provides input on decisions.

Responsibility: AGC Appointed Board Member

7. Appointed by AGC to serve as re-examination board member.
8. Reviews claims prior to meeting and provides input on decisions.